Title	Truancy Proceedings: Access to Pupil Records (approve forms JV-530 and JV-531)	
Summary	The proposed new optional forms would implement recent legislation and improve the ease of obtaining pupil records for certain truancy proceedings.	
Source	Family and Juvenile Law Advisory Committee	
Staff	Beth Kassiola, 415-865-7697	
Discussion	The proposed forms implement recent legislation (Assem. Bill 42 (Zettel)) that amended section 49076 of the Education Code regarding access to pupil records for truancy mediations and truancy petition evidence. Section 49076 provides that a school district is not authorized to allow to any person access to pupil records without parental consent or judicial order. Section 49076(a)(10) provides an exception by permitting the school district to give access to pupil records upon a judicial officer's or probation officer's written certification that the records are for truancy purposes only.  The proposed form JV-530 would serve as written certification for pupil records. Form JV-531 would serve as a response form for the local education agency to complete and return to the court with the records.	
	Attachment	

CHILD'S ATTORNEY (Name and Address):	FOR COURT USE ONLY		
TELEPHONE NO. (Optional): FAX NO. (Optional):			
E-MAIL ADDRESS (Optional):			
CHILD'S NAME:			
	DRAFT-2		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF			
STREET ADDRESS:  MAILING ADDRESS:			
CITY AND ZIP CODE:			
BRANCH NAME:			
	CASE NUMBER:		
REQUEST FOR PUPIL RECORDS—TRUANCY			
This request is submitted pursuant to Education Code section 49076(a)(10).			
1. Child's name:			
2. Date of birth:			
2. Childle seheal districts			
3. Child's school district:			
4. Child's school:			
5. School address:			
6. The requestor is a			
a judicial officer.			
b probation officer.			
7. Requestor's name:			
8. Requestor's mailing address:			
9. This request for pupil records is made only for the purposes of			
a. conducting a truancy mediation program for the child.			
b. presenting evidence in a truancy petition pursuant to Welfare and Institutions Code section 681.			
10. The records requested include (check all that apply):			
a. Attendance records			
b. Documentation of excused absences			
c. Other documents relating to the truancy of the child such as:			
This faces much be another the level of the	D ( IV/ 500		
This form must be sent to the local education agency (LEA) with form JV-531, Local Education	on Response to JV-530.		
To the respondent LEA: Failure to respond fully and in a timely manner may result in further court action.			
Education Code section 49076(a)(10) requires the school district to inform, or provide written			
guardian within 24 hours of the release of the information.			
Date:			
<u> </u>			
(TYPE OR PRINT NAME)	(SIGNATURE)		

CHILD'S ATTORNEY (Name and Address):	FOR COURT USE ONLY		
TELEPHONE NO. (Optional): FAX NO. (Optional):			
E-MAIL ADDRESS (Optional):			
CHILD'S NAME:			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF			
STREET ADDRESS:			
MAILING ADDRESS:			
CITY AND ZIP CODE:			
BRANCH NAME:			
	CASE NUMBER:		
LOCAL EDUCATION AGENCY RESPONSE TO JV-530			
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This form is to be returned to the court with the records requested by form JV-530 for condu	acting a truancy mediation program or		
presenting evidence in a truancy petition.			
1. Child's name:			
2. Child's school:			
3. Child's school address:			
4. School personnel contact (name, title, and telephone no.):			
Date:			
Daic.			
(TYPE OR PRINT NAME)	(SIGNATURE)		
,	, - ,		
<del></del>	(TITLE)		

## EDUCATION CODE TITLE 2. ELEMENTARY AND SECONDARY EDUCATION DIVISION 4. INSTRUCTION AND SERVICES PART 27. PUPILS CHAPTER 6.5. PUPIL RECORDS ARTICLE 5. PRIVACY OF PUPIL RECORDS

§ 49076. Access to records by persons without written parental consent or under judicial order

A school district is not authorized to permit access to pupil records to any person without written parental consent or under judicial order except that:

- (a) Access to those particular records relevant to the legitimate educational interests of the requester shall be permitted to the following:
- (1)–(9) (omitted)
- (10) Any judge or probation officer for the purpose of conducting a truancy mediation program for a pupil, or for purposes of presenting evidence in a truancy petition pursuant to Section 681 of the Welfare and Institutions Code. The judge or probation officer shall certify in writing to the school district that the information will be used only for truancy purposes. A school district releasing pupil information to a judge or probation officer pursuant to this paragraph shall inform, or provide written notification to, the parent or guardian of the pupil within 24 hours of the release of the information.